

Wilmington, Delaware
September 3, 2009

#3230

Sponsor:

Council
Member
Bolden

WHEREAS, pursuant to Wilm. C. (Charter) §8-205, a department head, board or commission of the City shall not sell or exchange any real estate belonging to the City or grant any license, easement, right-of-way or other interest over or in such real estate without advertised public notice appearing in at least one daily newspaper of City-wide distribution and “authority by general ordinance and later resolution from the Council so to do”; and

WHEREAS, Wilm. C. §2-621(a) provides that the Council shall by resolution declare a property approved for disposition and authorize the conduct of disposition proceedings by the Real Estate and Housing Department; and

WHEREAS, the provisions of Wilm. C. §2-621(c) provide that governmental agencies, governmental authorities organized pursuant to Title 22 of the Delaware Code and non-profit organizations are exempt from the City’s bid procedures and that upon the declaration of a property as surplus, by resolution of City Council, the City may negotiate an agreement of sale, lease, exchange, or other transfer of such property owned by the City to any such governmental agency, governmental authority or non-profit organizations; and

WHEREAS, the City has acquired an interest in the properties known as 612 E. 11th Street and 606 E. 11th Street (the properties); and

WHEREAS, in accordance with the recommendation of the Department of Real Estate and Housing, the City desires that the interest in the properties be declared surplus and approved for disposition and transferred to Brandywine Gateway Neighbors (“BGN”) a non-profit corporation, to develop the properties and to be sold as low income housing.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON that the Council hereby declares as surplus and authorizes and approves the disposition of any interest it may have in the properties known as 612 E. 11th Street and 606 E. 11th Street (the properties) to Brandywine Gateway Neighbors ("BGN"), a non-profit corporation to develop the properties and to be sold as low income housing.

BE IT FURTHER RESOLVED that Council authorizes the Mayor or his designee to execute any and all documents necessary to effectuate the transfer of the properties, including any and all undertakings and assurances heretofore.

Passed by City Council,
September 3, 2009

ATTEST: Maribel Ruiz
City Clerk

Approved as to form this
2nd day of September, 2009

[Signature]
Assistant City Solicitor

SYNOPSIS: This Resolution declares as surplus and authorizes and approves the disposition of any legal or equitable interest it may have in the properties known as 612 E. 11th Street and 606 E. 11th Street to Brandywine Gateway Neighbors ("BGN"), a non-profit corporation to develop the properties and to be sold as low income housing.